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2 **UNITED STATES DISTRICT COURT**  
3 **EASTERN DISTRICT OF WASHINGTON**  
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5 JACK R. STRUCK,

6 Plaintiff,

7 vs.

8 MICHAEL J. ASTRUE,  
Commissioner of Social Security,

9 Defendant.  
10  
11

NO. CV-09-0190-JPH

**JUDGMENT IN A  
CIVIL CASE**

12 **DECISION BY THE COURT:**

13 This action came to hearing before the court. The issues have been heard  
14 and a decision has been rendered.

15 **IT IS ORDERED AND ADJUDGED** that:

16 Defendant's Motion for Summary Judgment is **GRANTED**; Plaintiff's  
17 Motion for Summary Judgment is **DENIED**. Judgment is entered for Defendant.

18 DATED this 28th day of April, 2010.

19 JAMES R. LARSEN  
District Court Executive/Clerk  
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22 by: s/Pamela A. Howard  
Deputy Clerk  
23  
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26 cc: all counsel